

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI**

DENNIS R. RYNO,

Plaintiff,

v.

CITY OF WAYNESVILLE, et al.,

Defendants.

)
)
)
)
)
)
)
)
)
)

Case No. 6:20-cv-3378-MDH

ORDER

Pending before the Court is a Plaintiff's Motion for Reconsider of Order and Opposition to Motion to Quash Subpoena to AT&T Wireless (Doc. 37). The subpoena quashed was directed to AT&T Wireless to produce to Plaintiff certain phone records of Defendants Daniel Cordova and Vic Weir. Specifically, it requested:

1. "Phone records covering the period of October 01, 2014 through November 30, 2014 for the following customer: Daniel Cordova, St. Robert, MO. Phone number 573-855-1362."
2. "Date of most recent call made or received by Mr. Cordova using phone number 573-855-1362."
3. "Phone records covering the period of October 01, 2014 through November 30, 2014 for the following customer: Victor Weir, Waynesville, MO. Phone number 573-433-9552."

The Court's Order stated that:

Plaintiff does not provide an extraordinary compelling basis to indicate that the Defendant Cordova and Weir's personal phone records sought in the subpoena are relevant or important to resolving the claims Plaintiff filed against the Defendants. Furthermore, even assuming Defendant Cordova's or Defendant Weir's phone records contain any information relevant to the claims Plaintiff asserts, it would not be significant enough to outweigh Defendant Cordova's and Defendant Weir's privacy interests in their personal phone records.

(Doc. 34).

Plaintiff is seeking to obtain the records of Defendants in an attempt to show that numerous calls were made between Defendants, Plaintiff's ex-girlfriend, and the county prosecutor, among others. The extent to which the phone records are relevant depends on the content of the phone calls, and Plaintiff acknowledges that phone records from AT&T cannot provide the content of any phone call between the relevant parties.

Moreover, Plaintiff has already served AT&T with a new subpoena requesting:

1. Phone records for the following customer, Daniel Cordova, St. Robert, MO, phone number 573-855-1362, covering the period of October 22, 2014 through November 19, 2014, only for calls to or from these two numbers:
573-337-0345 and 573-528-1953
2. All calls to/from 573-855-1362 on October 30, 2014, between 4 PM and midnight.
3. Date of most recent call made or received by Mr. Cordova using phone number 573-855-1362.
4. Phone records for the following customer, Victor Weir, Waynesville, MO, phone number 573-433-9552, covering the period of October 22, 2014 through November 19, 2014, only for calls to or from these two numbers:
573-337-0345 and 573-528-1953
5. All calls to/from 573-433-9552 on October 30, 2014, between 4 PM and midnight.

(Doc. 39-1).

In light of the above, the Court does not find it necessary to reconsider its prior Order and Plaintiff's Motion to Reconsider (Doc. 37) is **DENIED**.

IT IS SO ORDERED.

Dated: April 20, 2021

/s/ Douglas Harpool
DOUGLAS HARPOOL
United States District Judge